



BellSouth Telecommunications, Inc.  
333 Commerce Street, Suite 2101  
Nashville, TN 37201-3300

guy.hicks@bellsouth.com

REC'D TN  
REGULATORY AUTH.

01 DEC 7 PM 2 10

December 7, 2001

OFFICE OF THE  
EXECUTIVE SECRETARY

Guy M. Hicks  
General Counsel

615 214 6301  
Fax 615 214 7406

VIA HAND DELIVERY

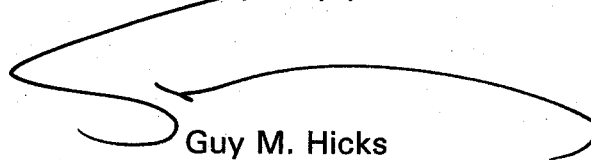
David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Re: *Complaint of XO Tennessee, Inc. Against BellSouth  
Telecommunications, Inc.*  
Docket No. 01-00868

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Answer to Supplemental Paragraphs to Complaints. Copies are being provided to counsel of record.

Very truly yours,



Guy M. Hicks

GMH:ch  
Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee**

In Re: *Complaint of XO Tennessee, Inc. Against BellSouth Telecommunications, Inc.*

Docket No. 01-00868

**BELLSOUTH TELECOMMUNICATIONS, INC.'S  
ANSWER TO SUPPLEMENTAL PARAGRAPHS TO COMPLAINTS**

BellSouth Telecommunications, Inc. ("BST") respectfully submits its Answer to the "supplemental paragraphs" set forth in the Motion to Amend Complaints filed by Access Integrated Networks, Inc. ("AIN") and XO Tennessee, Inc. ("XO") on or about November 29, 2001.<sup>1</sup>

1. BST admits that BellSouth Select, Inc. ("BellSouth Select") is a wholly owned subsidiary of BellSouth Corporation and that BellSouth Corporation is the parent company of BST. BellSouth Select is not a public utility.

2. BST admits that, as more fully explained in BST's responses to discovery requests in this docket, BellSouth Select offers and manages a corporate-wide program designed to offer benefits to customers who demonstrate loyalty to BellSouth by purchasing regulated and non-regulated services from the BellSouth family of companies. BST admits that BellSouth Select began offering this program

---

<sup>1</sup> The Hearing Office granted the Motion to Amend during the November 30, 2001 Pre-Hearing Conference. Because AIN and XO have not filed amended complaints, BST will respond to the eight "supplemental paragraphs" set forth in the Motion. The characterizations set forth on page 1 of the Motion, which BST disputes, are not allegations to which a response is required.

to Tennessee customers in 1999. BST denies the remainder of the allegations set forth in Supplemental Paragraph 2.

3. BST admits that the program described in Paragraph 2 of this Answer, which is a non-regulated program, has not been filed with the Tennessee Regulatory Authority as a tariff or promotion. BST denies that it is required to file this non-regulated program with the Tennessee Regulatory Authority as a tariff or promotion. BST denies the remainder of the allegations set forth in Supplemental Paragraph 3.

4. The allegations set forth in Supplemental Paragraph 4 are legal conclusions to which no response is required. BST denies that the program described in Paragraph 2 of this Answer violates T.C.A. §65-4-122.

5. BST denies the allegations set forth in Supplemental Paragraph 5.

6. The allegations set forth in Supplemental Paragraph 6 are legal conclusions to which no response is required. BST denies that the program described in Paragraph 2 of this Answer constitutes cross-subsidization, a preference to BST's competitive services, price discrimination, an anti-competitive practice, or any other act addressed by T.C.A. §65-5-208(c).

7. The allegations set forth in Supplemental Paragraph 7 are legal conclusions to which no response is required. BST denies that the program

described in Paragraph 2 of this Answer is a practice that is unduly preferential or discriminatory in violation of T.C.A. §65-4-115.<sup>2</sup>

8. BST denies the allegations set forth in Supplemental Paragraph 8.

9. BST incorporates by reference the Answers it filed on or about October 2, 2001 and October 25, 2001.

10. Any allegation not specifically admitted herein is denied.

Respectfully submitted,

BELLSOUTH TELECOMMUNICATIONS, INC.

By: 

Guy M. Hicks  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300  
(615) 214-6301

R. Douglas Lackey  
Patrick W. Turner  
675 W. Peachtree Street NE, Suite 4300  
Atlanta, Georgia 30375

---

<sup>2</sup> During the November 29, 2001 Pre-Hearing Conference, counsel for AIN and XO explained that Supplemental Paragraph 7 mistakenly references T.C.A. §65-4-117 and that it was intended to reference T.C.A. §65-4-115 instead.

**CERTIFICATE OF SERVICE**

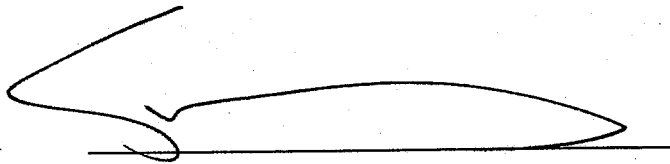
I hereby certify that on December 7, 2001, a copy of the foregoing document was served on the parties of record, via the method indicated:

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Henry Walker, Esquire  
Boult, Cummings, et al.  
P. O. Box 198062  
Nashville, TN 37219-8062

- ☐ Hand
- ☐ Mail
- ☒ Facsimile
- ☐ Overnight

Chris Allen, Esquire  
Office of Tennessee Attorney General  
P. O. Box 20207  
Nashville, Tennessee 37202

A handwritten signature in black ink, appearing to read "Chris Allen", is written over a horizontal line.